

Weil, Gotshal & Manges LLP

VIA ECF

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April 6, 2017

The Honorable Debra Freeman
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Courtroom 17A
New York, New York 10007-1312

Re: *Lord Abbett Affiliated Fund, Inc., et al. v. American International Group, Inc.*,
No. 2015-cv-00774 (LTS) (DF)

Dear Judge Freeman:

We represent Defendant American International Group, Inc. in this matter.

In accordance with the Court's instructions during the March 23, 2017 teleconference, the parties jointly reached out to their current mediator, the Honorable Layn Phillips, to determine whether Judge Phillips believed that he could further mediate this case. After several additional communications between the parties and Judge Phillips, both by e-mail and by telephone, the parties and Judge Phillips agreed to conduct an additional, in-person mediation.

On April 3, 2017, the parties exchanged mediation statements with each other and Judge Phillips. On April 5, 2017, the parties and Judge Phillips participated in an approximately four-hour mediation at the office of Weil, Gotshal & Manges LLP, with principals and counsel for all parties in attendance. Unfortunately, this mediation was unsuccessful. AIG remains willing to engage in further mediation efforts before Judge Phillips as this case progresses. But given yesterday's unsuccessful mediation, AIG does not believe that further mediation at the present time—and especially with a new mediator—will be fruitful.¹

¹ See Mar. 23, 2017 Hearing Tr. at 8:13-20 (The Court: "Look, go back to your mediator, try to get some candid assessment of whether he thinks he can help you [or if] he thinks you are at the end with him. . . . [I]f he thinks he's at the end and he really can't do anything more for you, then let me know that and I will, *if both parties want me to, want to continue a mediation process*, I will refer you to a mediation program.") (emphasis added); 6:21-24 (The Court: "I'm a little bit reluctant to send you to someone new unless and until I hear that you really are at the end of the road there because then you're educating somebody all over again.").

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Respectfully submitted,

/s/ Joseph S. Allerhand
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cc: All counsel (via ECF)